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**Nevada County
Pesticide Regulatory Program
2006/2007 Performance Evaluation Report**

**California Environmental Protection Agency
Department of Pesticide Regulation
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Performance Evaluation of the Nevada County Agricultural Commissioner Pesticide Use Enforcement Program

This report provides a performance evaluation of Nevada County Agricultural Commissioner's (CAC's) pesticide use enforcement (PUE) program for fiscal year (FY) 2006/2007. The assessment evaluates the performance of goals identified in the CAC's enforcement work plan as well as the program's adherence to Department of Pesticide Regulation (DPR) standards as described in the Pesticide Use Enforcement Program Standards Compendium.

I. Summary Report of Core Program

A) Restricted Materials Permitting:

The restricted materials permitting program element was found to *meet* DPR standards and work plan goals.

B) Compliance Monitoring:

The compliance monitoring program element was found to *meet* DPR standards and work plan goals.

C) Enforcement Response:

The enforcement response program element was found to *meet* DPR standards and work plan goals.

Summary Statement:

No deficiencies have been identified in the Nevada CAC's pesticide use program. Nevada CAC's program is currently effective at delivering the local enforcement program of the state.

II. Assessment of Core Program Effectiveness and Work Plan Goals

A) Restricted Materials Permitting:

1) Permit Issuance:

The Nevada CAC permit issuance procedures and performance were evaluated through observations, records review, and interviews of staff and found to conform to DPR standards and expectations. The three biologists that issue permits all possess Pesticide Regulation and Investigation and Environmental Monitoring licenses. The DPR evaluation determined that permits are:

- Issued only to qualified applicants;
- Signed by authorized persons;
- Issued for time periods allowed by law.

2) Site Evaluation:

The Nevada CAC site evaluation procedures were evaluated through observations, record review, and interviews of staff and found to conform to DPR standards and expectations. The CAC issued 51 restricted

materials permits (RMPs) and 150 operator identification numbers during FY 06/07. The permits:

- Contained the necessary information;
- Identified treatment areas and sensitive areas that could be adversely impacted by permitted uses; and
- Identified mitigation measures and included conditions that addressed known hazards.

The CAC staff adequately evaluates and determines if the use of feasible alternatives is required. Staff reviews all Notices of Intent (NOIs) in a timely manner and adequately monitors agricultural and nonagricultural permits utilizing pre-application site evaluations and use monitoring inspections.

Although the Nevada CAC adequately meets DPR expectations, improvement of maps in permit files is needed to better locate properties and identify sensitive sites.

B) Compliance Monitoring:

1) Inspections:

The Nevada CAC permit inspection procedures and performance were evaluated through observations, records review, and interviews of staff and found to conform to DPR standards and expectations. One biologist that possesses Pesticide Regulation and Investigation and Environmental Monitoring licenses works as the lead person in PUE. Two Biologists assist as necessary. Inspections are performed according to DPR policies and procedures and inspection reports are complete and comprehensive.

Inspections performed by the CAC were found to:

- Adequately address label, law, and regulatory requirements;
- Include interviews of employers and employees as appropriate;
- Include appropriate follow-up inspections and procedures.

2) Investigations:

The Nevada CAC investigation procedures and performance were evaluated through observations, record review, and interviews of staff and found to conform to DPR standards and expectations. The CAC investigates all complaints and notifies DPR and other agencies as required.

Investigations are thorough, complete, and submitted on approved forms according to DPR standards.

C) Enforcement Response:

The Nevada CAC enforcement response was evaluated through observations, records review, and interviews of staff and found to conform to DPR standards and expectations. The CAC's enforcement response was found to:

- Sufficiently support compliance; and
- Adequately protect the public and the environment.

III. Recommendations:

Recommendations include a greater enforcement focus on maintenance gardeners and Structural Pest Control Operators to ensure compliance with licensing and personal protective equipment requirements. Improvement of maps is needed.

IV. Non-Core and Desirable Activities

Desirable non-core activities include increased outreach to maintenance gardeners.